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January 5, 2023

**VIA ELECTRONIC FILING (CM/ECF)**

Hon. Diane Gujarati, U.S.D.J.  
United States District Court  
for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Capricorn Management Systems v. GEICO*  
Case No. 2:15-cv-2926-DG-LGD (E.D.N.Y.)

Dear Judge Gujarati:

This firm represents defendant GEICO in the subject civil action. We write jointly with counsel for plaintiff Capricorn Management Systems, Inc., and counterclaim-defendant Dr. Charles Silberstein on behalf of all parties.

In accordance with Your Honor's instructions at our recent Pre-Trial Conference and in compliance with the Docket Order entered on December 22nd, counsel conferred with their respective clients regarding the possibility of a jury trial before Magistrate Judge Dunst in the Islip Division. All parties do not consent.

We thank Your Honor for her continuing consideration.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Matthew J. Ricciardi", written over a blue circular stamp or seal.

Matthew J. Ricciardi

cc: Counsel of Record (via CM/ECF)

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